

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEON CARTER, an individual, on behalf of himself and all others similarly situated,

Plaintiff,

v.

C&S WHOLESALE GROCERS INC., a Vermont Corporation; TRACY LOGISTICS LLC DBA STOCKTON LOGISTICS LLC, a Delaware Limited Liability Company; and DOES 1 TO 50,

Defendants.

CASE NO. 2:22-cv-02165-KJM-AC

**ORDER GRANTING STIPULATION TO FURTHER EXTEND DEFENDANTS' DEADLINE TO RESPOND TO SECOND AMENDED COMPLAINT TO AFFORD PLAINTIFF LEAVE TO FILE THIRD AMENDED COMPLAINT**

## ORDER

Having reviewed and considered the Parties' Stipulation to Further Extend Defendants' Deadline to Respond to Second Amended Complaint to Afford Plaintiff Leave to File Third Amended Complaint (the "Stipulation"), and good cause appearing for the relief requested therein, the Stipulation shall be and hereby is **GRANTED** as follows, using the same defined terms as defined and used in the Stipulation:

1. Defendants' time within which to serve and file any motions, pleadings, or other filings responsive to Plaintiff's SAC shall be and hereby is extended up to and including April 27, 2023;

10        2. Plaintiff is hereby granted leave to file the proposed TAC attached to the Stipulation  
11 as Exhibit A;

12       3. Plaintiff shall promptly file the TAC as a separate document in the Court's CM/ECF  
13 System, in accordance with L.R. 220;

14       4. Defendants shall file a response to the TAC within twenty-eight (28) days from the  
15 date on which Plaintiff files the TAC; and

16 5. By entering into the Stipulation, the Parties do not waive and expressly reserve all  
17 claims, defenses, and challenges in this action, including, without limitation, as to arbitration of  
18 Plaintiff's and/or any putative class member's individual claims and any motion(s) pursuant to  
19 Fed. R. Civ. P. 12 as to Plaintiff's TAC and any subsequent amended pleading and/or the claims  
20 asserted therein.

## IT IS SO ORDERED.

Dated: April 12, 2023.

CHIEF UNITED STATES DISTRICT JUDGE